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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

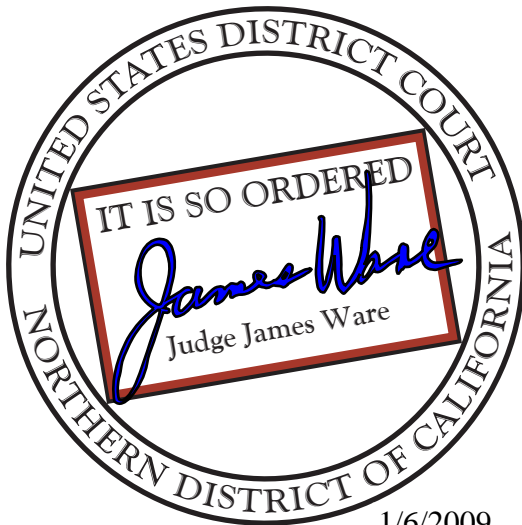
GRATEFUL DEAD PRODUCTIONS, a  
California corporation, CADESTANSA, LLC, a  
limited liability company on behalf of CARLOS  
SANTANA, an individual, JIMMY PAGE, an  
individual, ROBERT PLANT, an individual,  
JOHN PAUL JONES, an individual,  
RAYMOND MANZAREK, an individual,  
ROBBY KRIEGER, an individual, JOHN  
DENSMORE, an individual, PEARL  
COURSON, an individual, GEORGE  
MORRISON, an individual, FANTALITY  
CORP., a Colorado corporation, SONY BMG  
MUSIC ENTERTAINMENT, a Delaware  
general partnership, BMG MUSIC, a New York  
partnership, and ARISTA RECORDS, a  
Delaware LLC,

Plaintiffs,

v.

CASE NO. C 06 7727 (JW) (PVT)

**STIPULATION OF DISMISSAL OF ALL  
REMAINING CLAIMS AND  
COUNTERCLAIMS BEING ASSERTED  
IN ACTION WITHOUT PREJUDICE**



1/6/2009

WILLIAM E. SAGAN, an individual, NORTON LLC, a limited liability company, and BILL GRAHAM ARCHIVES LLC, d/b/a WOLFGANG'S VAULT, a limited liability company,

Defendants.

NORTON LLC, a limited liability company, BILL GRAHAM ARCHIVES LLC, d/b/a WOLFGANG'S VAULT, a limited liability company, and WILLIAM E. SAGAN, an individual,

Counterclaim Plaintiffs,

v.

GRATEFUL DEAD PRODUCTIONS, a California corporation, CADESTANSA, LLC, a limited liability company on behalf of CARLOS SANTANA, an individual, JIMMY PAGE, an individual, ROBERT PLANT, an individual, JOHN PAUL JONES, an individual, RAYMOND MANZAREK, an individual, ROBBY KRIEGER, an individual, JOHN DENSMORE, an individual, PEARL COURSON, an individual, GEORGE MORRISON, an individual, FANTALITY CORP., a Colorado corporation, SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership, BMG MUSIC, a New York partnership, ARISTA RECORDS, a Delaware LLC, ROBERT WEIR, an individual, WARNER MUSIC GROUP CORP., a Delaware corporation, RHINO ENTERTAINMENT, its subsidiary, and BRAVADO INTERNATIONAL GROUP, INC., a California corporation,

Counterclaim Defendants.

IT IS HEREBY STIPULATED, pursuant to Fed. R. Civ. P. 41(a)(1), by and among all remaining parties to this action – (1) Plaintiffs and Counter-Defendants Grateful Dead Productions; Cadestansa LLC, a limited liability company on behalf of Carlos Santana; Jimmy Page; Robert Plant; John Paul Jones; Fantality Corp.; Sony BMG Music Entertainment; BMG Music; and Arista Records; (2) Counter-Defendants Warner Music Group Corp.; Rhino Entertainment Company; and Bravado International Group, Inc.; and (3) Defendants and Counterclaimants William E. Sagan; Norton LLC;

and Bill Graham Archives LLC d/b/a Wolfgang's Vault (collectively, the "Defendants-Counterclaimants")– through their respective counsel, as follows:

1. The Plaintiffs' Dismissal Of Claims Without Prejudice. All remaining claims being asserted by the Plaintiffs are hereby dismissed *without prejudice*, including but not limited to the Plaintiffs' Fifth, Sixth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, and Eighteenth Causes of Action of the Second Amended Complaint.

2. The Defendants-Counterclaimants' Dismissal Of Counterclaims Without Prejudice. All remaining counterclaims being asserted by the Defendants-Counterclaimants are hereby dismissed *without prejudice*, including but not limited to the Defendants-Counterclaimants' First, Second, Third, Fourth, Seventh, Eighth, Tenth, and (to the extent necessary) Eleventh Counterclaims.<sup>1</sup>

3. Each Party To Bear Its Own Costs And Expenses. With respect to each and every claim and counterclaim being dismissed by the Stipulation, each party shall bear his or its own costs and expenses, including attorneys' fees.

4. Dismissal Of Entire Action. By virtue of this Stipulation, no claims or counterclaims remain pending, and the above-captioned action is hereby dismissed. All claims and counterclaims are dismissed *without prejudice* as set forth above.

DATED: December 30, 2008

GIBSON, DUNN & CRUTCHER LLP

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and

<sup>1</sup> In an Order dated December 18, 2008, the Court dismissed Counterclaimants' Eleventh Counterclaim for business defamation and business disparagement, giving Counterclaimants "leave to amend their Counterclaim consistent with the terms of [the] Order." To the extent that Counterclaim or any portion of it remains pending, it is hereby dismissed *without prejudice*.

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DATED: December 30, 2008

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*Attorneys for Defendants*

In accordance with Civil L.R. 5-4 and General Order No. 45(X)(B), I, Joshua A. Jessen, attest under penalty of perjury under the laws of the United States of America that I have the concurrence of the other signatories to this document.

s/ Joshua A. Jessen  
Joshua A. Jessen

**IT IS SO ORDERED:**

The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this file.

Dated: January 6, 2009

  
United States District Judge